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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,271	06/07/2001	Ah Hwee Tan	455392001200	4593

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MORRISON & FOERSTER LLP
1650 TYSONS BOULEVARD
SUITE 300
MCLEAN, VA 22102

EXAMINER

NGUYEN, CINDY

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 12/24/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/875,271

Applicant(s)

TAN, AH HWEE

Examiner

Cindy Nguyen

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Period for Reply
-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18, 22-46 and 50-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18, 22-46 and 50-53 is/are rejected.
- 7) ☐ Claim(s) 19-21 and 47-49 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) Z.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This is in response to amendment filed 10/07/03.

1. Information Disclosure Statement

The information disclosure statement filed on 10/07/03 is in compliance with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. Because it has been placed in the application file, and the information referred to therein has been considered at all as to the merits.

2. Response to Arguments

Applicant's arguments filed 10/07/03 have been fully considered but they are not persuasive.

Applicant's argument based on "personalizing" clusters. However, the term "personalizing" first appears in the disclosure in the claims. There is no explicit definition of this term that excludes the teachings of the patents and/or other documents of Herz.

Applicant argues: Herz doesn't disclose: personalizing said cluster structure according to user knowledge and preferences. In response, Herz clearly discloses the knowledge user preferences into account as "relevance feedback" col. 17, lines 15-67.

The distinction between content and organization is moot: relevance feedback that modifies the clusters necessarily modifies the cluster structure.

Applicant argues: Herz's user interface which not refer to the interface in which a user can view and manipulate cluster structures generated by the initial clustering process. However,

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in the claim language it was not said that the user interface can view and manipulate cluster structures generated by the initial clustering process.

Applicant argues: Herz didn't disclose: creating at least one new information cluster. In response, Herz clearly discloses: creating at least one new information cluster (col. 20, lines 31-39).

Applicant argues: Herz didn't disclose: personalizing further comprises labeling each information cluster. In response, Herz clearly discloses: personalizing further comprises labeling each information cluster as each clustered target objected is labeled with the identifying number of its cluster (col. 27, lines 11-15).

Relevance feedback that modifies the clusters necessarily modifies the cluster structure, it also addresses merging (col. 7, lines 35-39) and splitting an information cluster (col. 24, lines 12-18).

Applicant argues: Herz didn't disclose: personalizing further comprises storing said cluster structure in a knowledge base. In response, Herz clearly discloses: personalizing further comprises storing said cluster structure in a knowledge base as feedback, where it is stored long term in a summarized form as part of a database of user feedback information (col. 17, lines 15-35).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Allowable Subject Matter

Claims 19-21 and 47-49 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record and that encountered while searching for the claimed invention fails to anticipate and/or suggest: a method of organizing information into a plurality of classes or clusters with a user configurable information clustering system comprising wherein said classes or clusters have a coarseness which is controlled by a baseline vigilance parameter as recited in claim 19 and 47.

The prior art of record and that encountered while searching for the claimed invention fails to anticipate and/or suggest: a method of organizing information into a plurality of classes or clusters with a user configurable information clustering system comprising indication by a user of a preference for a lower and higher baseline vigilance parameters by selecting at least one

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unit of information from each of at least two clusters wherein the selected units of information are deemed by the user to be similar to each other as recited in claims 20, 21, 48 and 49.

3. *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-18, 22-46 and 50-53 stand rejected under 35 U.S.C. 102(b) as being anticipated by Herz et al. (U.S 5754938) (Herz).

Regarding claims 1 and 27, Herz disclose: a method of organizing information into a plurality of classes or clusters with a user-configurable information clustering system comprising:

a) grouping units of information into clusters based on similarities to create a cluster structure (col. 22, lines 65-col. 23, lines 10, Herz); and

b) personalizing said cluster structure according to user knowledge and preferences (col. 17, lines 15-44, Herz).

In addition, Herz disclose: a user interface (col. 7, lines 57-60, Herz);

A knowledge base for storing said cluster structure (col. 32, lines 34-44, Herz).

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Regarding claims 2 and 28, most of the limitations of these claims have been noted in the rejection of claims 1 and 27 above, respectively. In addition, Herz disclose: wherein said grouping units of information into clusters is carried out automatically to create a machine-generated cluster structure (col. 24, lines 2-67, Herz).

Regarding claims 3 and 29, most of the limitations of these claims have been noted in the rejection of claims 1 and 27 above, respectively. In addition, Herz disclose: wherein said personalizing comprises creating at least one new information cluster (col. 24, lines 13-18, Herz).

Regarding claims 4, 8, 30 and 35, most of the limitations of these claims have been noted in the rejection of claims 1, 3, 27 and 29 above, respectively. In addition, Herz disclose: wherein said personalizing further comprises labeling each information cluster (col. 24, lines 2-10, Herz).

Regarding claims 5, 9, 31 and 36, most of the limitations of these claims have been noted in the rejection of claims 1, 4, 27 and 30 above, respectively. In addition, Herz disclose: wherein said personalizing further comprises merging information clusters (col. 7, lines 35-39, Herz).

Regarding claims 6, 10, 32 and 37, most of the limitations of these claims have been noted in the rejection of claims 1, 5, 27 and 31 above, respectively. In addition, Herz disclose: wherein said personalizing further comprises splitting at least one information cluster (col. 24, lines 12-18, Herz).

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Regarding claims 7, 11, 33 and 38, most of the limitations of these claims have been noted in the rejection of claims 1, 6, 27 and 32 above, respectively. In addition, Herz disclose: wherein said personalizing further comprises storing said cluster structure in a knowledge base (col. 32, lines 34-44, Herz).

Regarding claims 23, all of the limitations of this claim have been noted in the rejection of claims 1, 4, 5 and 6 above. It is therefore rejected as set forth above.

Regarding claims 25, 50 and 52, all of the limitations of these claims have been noted in the rejection of claims 1, 4, 5, 6 and 7 above. In addition, Herz disclose: retrieving said cluster structure initializing the information clustering system using said retrieved cluster structure (col. 25, lines 22-31, Herz); and analyzing new clusters, wherein said clusters are grouped according to the user's preferences (col. 24, lines 13-18, Herz).

Regarding claims 12, 24, 26, 40, 51 and 53, most of the limitations of these claims have been noted in the rejection of claims 1, 23, 25, 27, 50 and 53 above, respectively. In addition, Herz disclose: wherein said information comprises text, image, audio, video or any combination thereof (col. 29, lines 22-24, Herz).

Regarding claims 13 and 42, most of the limitations of these claims have been noted in the rejection of claims 1 and 27 above, respectively. In addition, Herz disclose: wherein said user-configurable information clustering system comprises an adaptive resonance associative map (col. 12, lines 41-45, Herz).

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Regarding claims 14 and 41, most of the limitations of these claims have been noted in the rejection of claims 1 and 27 above, respectively. In addition, Herz disclose: wherein said user-configurable information clustering system incorporates user knowledge and preferences for information clustering (col. 17, lines 15-44, Herz).

Regarding claims 15, all of the limitations of this claim have been noted in the rejection of claim 1 above. In addition, Herz disclose: wherein said user-configurable information clustering system further comprises a user interface (col. 7, lines 57-60, Herz).

Regarding claims 16 and 44, most of the limitations of these claims have been noted in the rejection of claims 1 and 27 above, respectively. In addition, Herz disclose: wherein each of said units of information is represented by an information vector (col. 23, lines 31-41, Herz).

Regarding claims 17 and 45, most of the limitations of these claims have been noted in the rejection of claims 1 and 27 above, respectively. In addition, Herz disclose: wherein a user-preferred information grouping is represented by a preference vector (col. 23, lines 31-41, Herz).

Regarding claims 18 and 46, most of the limitations of these claims have been noted in the rejection of claims 1 and 27 above, respectively. In addition, Herz disclose: wherein said

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units of information are grouped into classes or clusters based on a similarity function (col. 22, lines 65 to col. 23, lines 10, Herz).

Regarding claims 22, most of the limitations of this claim have been noted in the rejection of claim 1 above. In addition, Herz disclose: further comprising retrieving said cluster structure to initialize said user-configurable information clustering system prior to clustering new information (col. 25, lines 22-31, Herz).

Regarding claims 34 and 39, most of the limitations of these claims have been noted in the rejection of claims 33 and 27 above, respectively. In addition, Herz disclose: wherein said personalization module further comprises means for retrieving the cluster structure from said knowledge base (col. 34, lines 28-35, Herz).

Regarding claims 43, most of the limitations of this claim have been noted in the rejection of claim 27 above. In addition, Herz disclose: wherein said user interface permits graphical visualization of said information clusters (col. 29, lines 22-38, Herz).

5. Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 703-305-4698. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this

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application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CN

Cindy Nguyen
December 16, 2003


WAYNE AMSBURY
PRIMARY PATENT EXAMINER